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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Michael Gallegos,
10 Petitioner,

11 v.

12 David Shinn, et al.,
13 Respondents.
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No. CV-01-01909-PHX-NVW

ORDER

DEATH PENALTY ORDER

15 Before the Court is Petitioner's Motion to Present Testimony of Lay Witnesses. (Doc.
16 211.) The Parties stipulate to the admission of the declarations of Aaron Barrett and
17 Statia Peakheart, and they will be accepted.
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19 IT IS THEREFORE ORDERED that the declarations of Aaron Barrett and Statia
20 Peakheart may be admitted but not live testimony.

21 IT IS FURTHER ORDERED that the declarations of Sally Ake, Russell Randall,
22 Anthony Duran, Mary Durand, Michelle Emig, Hortensia Gallegos, Jerry Gallegos, Jr.,
23 Margaret Gallegos, Melodee Nowatzki, and Noah Stalvey will be admitted in lieu of
24 live testimony, but Petitioner must produce for live cross-examination at the hearing any
25 such witness whose declaration is offered.

26 Dated: October 15, 2020.

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28 Neil V. Wake
Senior United States District Judge